

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KURT RENFRO,
WILLIAM SOUTHWORTH,
RICHARD PETERSON, and
JAMES FITCHUK, individually
and as Class Representatives on
behalf of other persons similarly
situated,

Plaintiffs,

v

INDIANA MICHIGAN POWER
COMPANY,
d/b/a AMERICAN ELECTRIC POWER,

Defendant.

Case No. 1:99-cv-877

Hon. Wendell A. Miles

JUDGMENT

On June 8, 2006, this court entered judgment against defendant Indiana Michigan Power Company, d/b/a American Electric Power (“AEP”) and in favor of plaintiffs William Southworth, Lloyd Dopp, Robert Piehl, Edward Jones, and Steve Hoepner (through his widow Barbara Hoepner). AEP appealed to the United States Court of Appeals for the Sixth Circuit. On July 20, 2007, a non-unanimous decision of that court reversed this court’s grant of summary judgment in favor of these named plaintiffs and ordered the case remanded to this court for entry of summary judgment in favor of AEP. The mandate of that court was filed on January 15, 2008.

Consistent with the judgment and mandate issued by the United States Court of Appeals for the Sixth Circuit, IT IS HEREBY ORDERED that the motion of AEP for summary judgment

(docket no. 240) is granted. Judgment is entered in favor of AEP and against the plaintiffs.

Entered this 23rd day of January, 2008.

/s/ Wendell A. Miles
Wendell A. Miles, Senior Judge